REMARKS

Status of the Claims

Claims 1-15 are in the case.

Prior Art Rejections

The Examiner has rejected claims 10, 14, and 15 under 35 USC §102(b) as anticipated by Harris et al. (US Pat. 6,393,718), stating that the Harris reference shows a hair dryer 10 with an ion emitter 23 to direct negative ions onto the hair of a user and the quantity of ions can be adjusted by the user via switch 5. The Action also states that the Harris disclosure includes an indicator light 6a for indicating the ion level. Applicant respectfully traverses this rejection in that the ion level is neither adjustable nor indicated by the indicator light 6a.

Applicant submits that the pending claims cannot be anticipated by the Harris reference because the Harris reference does not teach every element of the rejected claims. For example, at least two elements of claim 10 are completely missing from the Harris reference. Applicant finds no mention in the Harris reference of "the quantity of ion flow may be adjusted by the user," or "a visual indicator of ion level." The Harris reference, rather shows an ionizer switch 6, which is merely an on/off switch, not an adjustable switch as shown and claimed in the present application. The Action appears to have confused the adjustment of ion flow (as in the present application) with the adjustment of air flow (as in the Harris disclosure). As described in the first few lines of Column 3 of Harris, the Harris appliance includes plus and minus speed settings 8 and 9, and "blower speed" indicator lights 7a, 7b and 7c. By contrast, indicator 6a is merely an on/off indicator of ion function, i.e. there is no adjustment of the ion level, nor any indication of ion level other than the on/off indicator 6a.

Turning to the claimed invention, the Specification describes in paragraphs [00011] - [00013] an ion flow adjustment device 60, which is separate from the fan speed and heat adjustment devices. The switch 60 controls the ion generator 80 and it is the level of ion generation, and not fan speed that is indicated by the ion level indicator lights. All of these elements are missing from the Harris disclosure. Because claims 14 and 15 are dependent from claim 10, they incorporate by reference all the elements of claim 10, including those that are

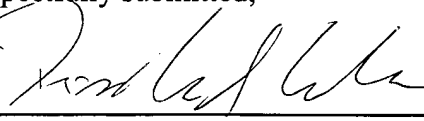
missing from the Harris reference. Therefore, the Harris reference cannot be said to anticipate any the rejected claims 10, 14, or 15 because the reference does not teach each and every element of the claims. The Examiner is respectfully requested to withdraw this rejection.

The Action also rejects claims 1-9, and 11-13 as obvious over Harris in view of Takizawa (US Patent 6, 792,692). Takizawa, however, in no way overcomes the deficiencies of the Harris reference, principally because Takizawa does not teach or suggest the elements that are completely missing from the Harris disclosure. Takizawa teaches an airflow rate indicator portion 24 and an input power indicator portion 25, neither of which are related to or suggest indicators of ion level as in the present claims. In order for a combination of references to render a claim obvious, each and every element of the claim must be taught or suggested by the combined references. Neither of the cited references teaches or suggests an adjustable ion flow, but only teach adjustable air flow, or heating power. The references, then, either alone or in combination, can in no way be said to teach or suggest the claimed inventions. The Examiner is therefore, respectfully requested to withdraw all rejections over the cited art.

CONCLUSION

In light of the preceding discussion, Applicant submits that the present claims are in condition for immediate allowance and such favorable action is respectfully requested. Should the Examiner have any questions, Applicant's representative can be reached by telephone at 512.542.8446.

Respectfully submitted,



Timothy S. Corder
Reg. No. 38,414
Agent for Applicant

Vinson & Elkins L.L.P.
First City Tower
1001 Fannin Street, Suite 2300
Houston, Texas 77002-6760
512.542.8446